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Transcript Exhibit(s)

2016 SEP -7 P 3:39

Docket #(s): L-0000022-16-0269-00172

Arizona Corporation Commission

DOCKETED

SEP - 7 2016

Exhibit #: Exhibit 1

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**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

In the matter of the Application of White Wing Ranch North, LLC, in conformance with the requirements of Arizona Revised Statutes 40-360.03 and 40-360.06, for a Certificate of Environmental Compatibility authorizing construction of the White Wing Gen-Tie Project, an approximately 3.5 mile gen-tie transmission line and associated substation facilities interconnecting to the existing Hoodoo Wash Substation approximately 10 miles north and 3 miles east of Dateland, Yuma County, Arizona.

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) Docket No. L-00000ZZ-16-0269-00172
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Case No. 172

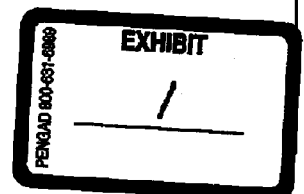
CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

Case No. 172

Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission Line Siting Committee ("Committee") held a public hearing on September 12 and 13, 2016 in Yuma, Arizona, in conformance with the requirements of Arizona Revised Statutes ("A.R.S.") §§ 40-360, *et seq.*, for the purpose of receiving evidence and deliberating on the Application of **White Wing Ranch North, LLC** ("Applicant") for a Certificate of Environmental Compatibility ("Certificate") in the above-captioned Case No.172.

The following members and designees of members of the Committee were present at the hearing for the evidentiary presentations and/or for the deliberations:

| | |
|-------------------|---|
| Thomas K. Chenal | Chairman, Designee for Arizona Attorney General |
| | Mark Brnovich |
| Laurie A. Woodall | Designee of the Chairman of the Arizona Corporation |
| | Commission |



| | | |
|---|-------------------------|--|
| 1 | David L. Eberhart, P.E. | Represents the General Public |
| 2 | Jack Haenichen | Represents the General Public |
| 3 | Ian Bingham | Designee for the Director of the Department of |
| 4 | | Environmental Quality |
| 5 | Lisa Williams | Designee for the Department of Water Resources |
| 6 | Mary Hamway | Represents Incorporated Cities and Towns |
| 7 | Jeff McGuire | Represents Agricultural Interests |
| 8 | Patricia Noland | Represents the General Public |
| 9 | Jim Palmer | Represents Counties |

11 Applicant was represented by Jay Moyes and Jason Moyes of Moyes Sellers &
12 Hendricks, Ltd. No parties sought intervention or made a limited appearance. At the
13 conclusion of the hearing, the Committee, having received the Application, the evidence,
14 testimony and exhibits presented at the hearing, and being advised of the legal requirements of
15 A.R.S. §§ 40-360 to 40-360.13, upon motion duly made and seconded, voted ____ to ____ in
16 favor of granting Applicant this Certificate of Environmental Compatibility (Case No. 172) for
17 construction of the White Wing Gen-tie Project. The White Wing Gen-tie Project (the
18 "Project"), as approved, will interconnect the proposed White Wing photovoltaic solar
19 generating facility to the existing Hoodoo Wash 500kV substation. The approved Project
20 consists of a 34.5 / up to 500kV Solar Site Substation; an approximately 3.5-mile, up to 500kV
21 Gen-tie Line; and (if the Solar Site Substation and Gen-tie Line are built at a voltage less than
22 500kV) a Step-up Substation for transformation to 500kV, with a short 500kV line connecting
23 to the adjacent existing Hoodoo Wash Substation. The Project is located in Sections 16, 17, 20,
24 28, 29, 33, and 34, Township 5 South, Range 12 West, G&SRB&M, in Yuma County,
25 approximately 10 miles north and approximately 3 miles east of Dateland, Arizona. The
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1 proposed Gen-tie Line will be constructed in a corridor approximately 300-feet wide, running
2 between the Solar Site Substation and the existing Hoodoo Wash Substation, and generally
3 paralleling the western boundary of the existing Agua Caliente Solar Project. A general
4 location map of the Project is set forth in **Exhibit A**.

5 **CONDITIONS**

6 This Certificate is granted upon the following conditions:

7 1. Applicant shall comply with all existing applicable statutes, ordinances, master
8 plans and regulations of any governmental entity having jurisdiction during the construction of
9 the Project—including the United States, the State of Arizona, or Yuma County. **(Cases 168,**
10 **169, 170, 171)**

11 2. If human remains and/or funerary objects are encountered on private land during
12 the course of any ground-disturbing activities relating to the construction of the Project,
13 Applicant shall cease work on the affected area of the Project and notify the Director of the
14 Arizona State Museum as required by A.R.S. § 41-865. **(Cases 168, 169, 170, 171)**

15 3. Applicant shall comply with the notice and salvage requirements of the Arizona
16 Native Plant Law (A.R.S. §§ 3-901, et seq.) and shall, to the extent feasible, minimize the
17 destruction of native plants during Project construction. **(Cases 168, 169, 170, 171)**

18 4. Applicant agrees to follow Arizona Game and Fish Department (“AGFD”)
19 guidelines for handling protected animal species, should any be encountered during
20 construction. **(Cases 168, 171)**

21 5. Applicant shall design the transmission lines to incorporate reasonable measures to
22 minimize impacts to raptors. Such design will address the application of recommended
23 measures to minimize the risk of collision, as described in the 2012 guidelines of the Avian
24 Power Line Interaction Committee. **(Cases 168, 169, 170, 171)**

1 6. Applicant will comply with all terms and conditions set forth in any decision issued
2 by the United States Bureau of Land Management ("BLM") in association with (i) BLM's
3 designation of the Agua Caliente Solar Energy Zone (SEZ), (ii) designation of the designated
4 utility corridor, (iii) Applicant's pending Application for Right of Way ("ROW") and Plan of
5 Development ("POD"), (or) (iv) associated National Environmental Policy Act (NEPA)
6 documents.

7 7. Applicant shall use non-specular conductor and non-reflective surfaces for the
8 Project's transmission line structures. **(Cases 168, 169, 170, 171)**

9 8. When Project facilities are located parallel to and within one hundred (100) feet of
10 any existing natural gas or hazardous liquid pipeline, Applicant shall:

- 11 a. Ensure grounding and cathodic protection measurements are performed to show
12 that the Project's location parallel to and within one hundred (100) feet of such
13 pipeline results in no material adverse impacts to the pipeline or to public safety
14 when both the pipeline and the Project are in operation. Applicant shall take
15 appropriate steps to ensure that any material adverse impacts are mitigated.
16 Applicant shall provide to Arizona Corporation Commission ("Commission")
17 Staff and file with Docket Control a copy of the measurements performed and
18 additional mitigation, if any, that was implemented as part of its annual
19 compliance-certification letter; and
20 b. Ensure that measurements are taken during an outage simulation of the Project
21 that may be caused by the collocation of the Project parallel to and within one
22 hundred (100) feet of the existing natural gas or hazardous liquid pipeline. The
23 measurements should either: (i) show that such simulated outage does not result
24 in customer outages; or (ii) include operating plans to minimize any resulting
25 customer outages. Applicant shall provide a copy of the measurement results to
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1 Commission Staff and file it with Docket Control as part of its annual
2 compliance-certification letter. **(Cases 168, 169, 170, 171)**

3 9. Applicant will follow the most current Western Electricity Coordinating Council /
4 North American Electric Reliability Corporation planning standards, as approved by the Federal
5 Energy Regulatory Commission, and National Electrical Safety Code construction standards.
6 **(typical, Cases 168, 169, 170, 171)**

7 10. This authorization to construct the Project shall expire ten (10) years from the date
8 the Certificate is approved by the Arizona Corporation Commission (the "Commission").
9 However, prior to expiration, Applicant may request that the Commission extend this time
10 limitation. In the event of such request, Applicant shall use reasonable means to notify all
11 landowners and residents within one mile of the Project, all persons who made public comment at
12 this proceeding, and all parties to this proceeding of the request and the date, time and place of
13 the hearing in which the Commission will consider the request for extension. **(Case 168)**

14 11. Within 120 days of the Commission decision approving this Certificate, Applicant
15 will post at the Project site a new sign, of approximately the same size and at approximately the
16 same location as the "Notice of Hearing" sign previously posted by Applicant, giving further
17 notice of the Project, to the extent authorized by law, until the Project construction is substantially
18 completed. The sign shall advise :

- 19 (a) That the site has been approved for the construction of Project facilities;
20 (b) The expected date of completion of the Project facilities;
21 (c) A phone number for public information regarding the Project;
22 (d) The name of the Project; and
23 (e) The website of the Project. **(Cases 168, 170, 171)**

24 12. Applicant shall submit a compliance-certification letter annually, identifying
25 progress made with respect to each condition contained in this Certificate, including which
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1 conditions have been met. Each letter shall be submitted to Docket Control of the Arizona
2 Corporation Commission on or before October 1 beginning in 2017. Attached to each
3 compliance-certification letter shall be documentation explaining how compliance with each
4 condition was achieved. Copies of each letter along with the corresponding documentation
5 shall be submitted to the Arizona Attorney General and the Arizona Governor's Office [of
6 Energy Policy]. The requirement for the compliance-certification letter shall expire on the date
7 the Project is placed into operation. Notification of such filing with Docket Control shall be
8 made to Yuma County, all parties to this Docket, and all parties, if any, that made a limited
9 appearance in this Docket. **(Cases 168, 169, 170, 171)**

10 13. Applicant shall provide copies of this Certificate to Yuma County, the BLM, the
11 State Historic Preservation Office, and the Arizona Game and Fish Department. **(Cases 168,**
12 **169, 170 171)**

13 14. Any transfer of assignment of this Certificate shall require the assignee or
14 successor to assume in writing all responsibilities of the Applicant listed in this Certificate and
15 its conditions as required by A.R.S § 40-360.08(A) and R14-3-213(F) of the Arizona
16 Administrative Code. **(Case 169, 170, 171)**

17 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

18 This Certificate incorporates the following findings of fact and conclusions of law:

- 19 1. The Project aids the state and the southwest region in meeting the need for an
20 adequate, economical and reliable supply of electric power.
21 2. The Project aids the state in preserving a safe and reliable transmission system.
22 3. The Project and the conditions placed on the Project by the Committee in this
23 Certificate effectively minimize the Project's impact on the environment and
24 ecology of the state.
25
26

- 1 4. The conditions placed on the Certificate resolve matters concerning balancing the
2 need for the Project and its impact on the environment and ecology of the state
3 raised during the course of the proceedings, and as such, serve as findings on the
4 matters raised.
- 5 5. The Project is in the public interest because the Project's contribution to meeting
6 the need for an adequate, economical and reliable supply of clean, renewable
7 electric power and a safe and reliable transmission system outweighs the
8 minimized impact of the Project on the environment and ecology of the state.
- 9 6. In light of these conditions, the balancing in the broad public interest results in
10 favor of granting this Certificate.

11
12
13
14 DATED this ____ day of September, 2016.

15
16 THE ARIZONA POWER PLANT AND
17 TRANSMISSION LINE SITING COMMITTEE

18
19 _____
20 Thomas K. Chenal, Chairman

Legend

Interstate Highway

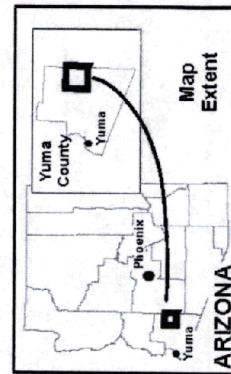
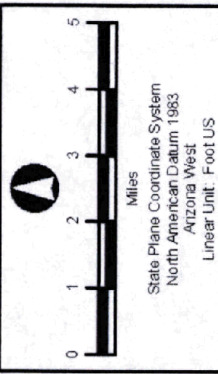
Road

Railroad

White Wing Solar Project

Existing Agua Caliente Solar Project Site

County Boundary



WHITE WING GEN-TIE PROJECT

PROJECT LOCATION

Map Extent: Yuma County, Arizona

Date: 9/29/16

Author: ghw

Maricopa County
Yuma County

U.P.R.R.

**White Wing
Solar Project**

**Existing Agua Caliente
Solar Project Site**

**Proposed
Gen-Tie Line**

Avenue 64E

Palomas Rd

DATELAND

EXHIBIT A
PROJECT GENERAL LOCATION MAP
CASE NO. 172